

Entered - 08/06/02 - sb  
CL02L0526 - DIANNE C. MITCHELL

CLAIM OF: MARGARET RYAN STEINER  
82 Forrest Place  
Atlanta, Georgia 30328

02-*R* -1511

For damages alleged to have been sustained as a result of vehicular damage due to a pothole on May 4, 2002 on Roswell Road at Wieuca Road.

THIS ADVERSED REPORT IS APPROVED

BY:

*Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADVERSED SEP 16 2002

## ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: *9/16/02*

CHAIR: *[Signature]*

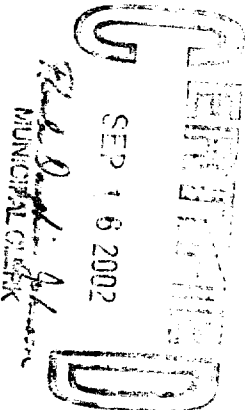
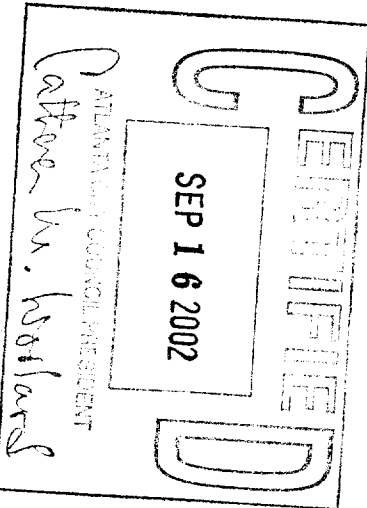
*[Signature]*

*C. T. Martin*

*[Signature]*

*[Signature]*

*[Signature]*





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

September 19, 2002

Maragaret Ryan Steiner  
82 Forrest Place  
Atlanta, GA 30328

02-R-1511

Dear Ms. Steiner:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 16, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0526

Date: August 21, 2002

Claimant /Victim MARGARET RYAN STEINER

BY: (Atty)(Ins. Co.)

Address: 82 Forrest Place, Atlanta, Georgia 30328

Subrogation: Claim for Property damage \$ 266.04 Bodily Injury \$

Date of Notice: 07/25/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 05/04/02 Place: Roswell Road at Wieuca Road

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she damaged her vehicle on a pothole in the roadway. The investigation determined that the location where the incident occurred is on a Georgia State highway. The claimant has been advised to pursue her claim with the Georgia Department of Transportation.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01

Claims Manager: [Signature] Concur/date 08-25-02

Committee Action: Council Action

RCS# 3984  
9/16/02  
2:03 PM

Atlanta City Council

Regular Session

CONSENT I                      Pgs. 1-14; except 02-O-1591; 02-O-1592  
                                 02-R-1589; 02-R-1540; 02-R-1542  
                                 ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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**09/16/02 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA****ITEMS ADVERSE  
ON CONSENT AGENDA**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 02-O-1453  | 43. 02-R-1509 | 45. 02-R-1502 |
| 2. 02-O-1586  | 44. 02-R-1510 | 46. 02-R-1503 |
| 3. 02-O-1496  |               | 47. 02-R-1504 |
| 4. 02-O-1389  |               | 48. 02-R-1505 |
| 5. 02-O-1390  |               | 49. 02-R-1506 |
| 6. 02-O-0791  |               | 50. 02-R-1511 |
| 7. 02-O-1258  |               | 51. 02-R-1512 |
| 8. 02-O-1298  |               | 52. 02-R-1513 |
| 9. 02-O-1391  |               | 53. 02-R-1514 |
| 10. 02-O-1395 |               | 54. 02-R-1515 |
| 11. 02-O-1450 |               | 55. 02-R-1516 |
| 12. 02-R-1535 |               | 56. 02-R-1517 |
| 13. 02-R-1541 |               | 57. 02-R-1518 |
| 14. 02-R-1546 |               | 58. 02-R-1519 |
| 15. 02-R-1526 |               | 59. 02-R-1520 |
| 16. 02-R-1527 |               | 60. 02-R-1521 |
| 17. 02-R-1528 |               | 61. 02-R-1522 |
| 18. 02-R-1529 |               | 62. 02-R-1523 |
| 19. 02-R-1530 |               | 63. 02-R-1524 |
| 20. 02-R-1531 |               | 64. 02-R-1525 |
| 21. 02-R-1532 |               |               |
| 22. 02-R-1560 |               |               |
| 23. 02-R-1561 |               |               |
| 24. 02-R-1615 |               |               |
| 25. 02-R-1563 |               |               |
| 26. 02-R-1564 |               |               |
| 27. 02-R-1565 |               |               |
| 28. 02-R-1566 |               |               |
| 29. 02-R-1568 |               |               |
| 30. 02-R-1569 |               |               |
| 31. 02-R-1570 |               |               |
| 32. 02-R-1572 |               |               |
| 33. 02-R-1573 |               |               |
| 34. 02-R-1574 |               |               |
| 35. 02-R-1487 |               |               |
| 36. 02-R-1533 |               |               |
| 37. 02-R-1557 |               |               |
| 38. 02-R-1558 |               |               |
| 39. 02-R-1559 |               |               |
| 40. 02-R-1616 |               |               |
| 41. 02-R-1507 |               |               |
| 42. 02-R-1508 |               |               |

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Consent I Vote: 14Yeas; 0 Nays (See RCS #3984)

Items Removed from Consent: 02-O-1591; 02-O-1592; 02-R-1589; 02-O-1540; 02-R-1542